

**UNITED STATES DISTRICT COURT**  
for the  
**DISTRICT OF MASSACHUSETTS**

**JAMES R MCELHOLM, ET AL.**

*Plaintiff*

v.

Civil Action No.:  
**4:16-CV-40003-TSH**

**MOHAWK TRAIL ASSOCIATION, INC.**

*Defendant*

**SUMMONS IN A CIVIL ACTION**

To: (*Defendant's name and address*)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) --- or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) --- you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

**ROBERT M. FARRELL**

*CLERK OF COURT*

*/s/ – Sherry Jones*

*Signature of Clerk or Deputy Clerk*



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**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) \_\_\_\_\_  
was received by me on (date)\_\_\_\_\_.

- I personally served the summons on the individual at (place)\_\_\_\_\_  
\_\_\_\_\_ on (date)\_\_\_\_\_ ; or
- I left the summons at the individual's residence or usual place of abode with (name)\_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_ , and mailed a copy to the individual's last known address; or
- I served the summons on (name of individual)\_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of (name of organization)\_\_\_\_\_  
\_\_\_\_\_ on (date) \_\_\_\_\_ ; or
- I returned the summons unexecuted because\_\_\_\_\_ ; or
- Other (specify) :

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

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Date

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*Server's Signature*

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*Printed name and title*

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*Server's Address*

Additional information regarding attempted service, etc: